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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/213,510

12/17/1998

PETER BRANDT

3557-US

6783

7590

05/18/2004

MARTIN A FARBER  
866 UNITED NATIONS PLAZA  
SUITE 473  
NEW YORK, NY 10017

EXAMINER

NGUYEN, DUNG T

ART UNIT

PAPER NUMBER

2871

DATE MAILED: 05/18/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/213,510

Applicant(s)

BRANDT ET AL.

Examiner

Dung Nguyen

Art Unit

2871

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 18 August 2003.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1,2,4-8 and 10-16 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,2,4-8 and 10-16 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☒ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. 36.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

### DETAILED ACTION

Applicants' amendment dated 08/18/2003 has been received and entered.

Due to crossed mail, the office action dated 11/03/2003 has been vacated in favor of the following action. Applicants are not required to respond to the 11/03/2003 office action.

By the amendment dated 08/18/2003, claims 1-2, 4-8 and 10-16 are now pending in the application.

Applicant's arguments with respect to claims 1, 11 and 16 have been considered but are moot in view of the new ground(s) of rejection as follow:

### *Claim Rejections - 35 USC § 103*

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-2, 4-8 and 9-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Pasco, US Patent No. 4,323,951, in view of Ogura et al., US Patent No. 5,915,822, Cremers et al., US Patent No. 5,578,985 and Abileah et al., US Patent No. 5,629,784.

Regarding claims 1-2, 4-7, 10-14, Pasco discloses a vehicle panel (figure 1) comprising:

a plastic panel (1) having a dial plate (opaque screen 17) and an illuminate display character (16) located in a cut-out of the dial plate, wherein the display is arranged in the same plane as a front surface of the front of the dial plate to form therewith a single component with a continuous surface (fig. 2);

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a light source (12).

Although Pasco does not explicitly disclose the display being a liquid crystal display (LCD) as well as the display unit having a first light source and a second light source, one of ordinary skill in the art would have realized the desire to use an LCD (i.e. according to an LCD device, the display inherently included a front panel, a rear panel and polarizers, a spacer between the polarizers and the panel) as a display in the Pasco's device as evidence from Ogura et al. device. In addition, Cremers et al. do disclose an unit display (11) having a first light source (24) for illuminating the dial plate (22) and a second light source (34) serving as a backlight to illuminate the display (15) as in figure 2. Therefore, it would have been obvious to one skill in the art at the time of the invention was made to use modify the Pasco's device having an LCD since it is a common practice in the art to obtain a meter with a thin structure (col. 6, ln. 11) and using two different light sources as shown by Cremers et al. in order to improve an unit display having a clear visible with the symbolic information (col. 1, lines 60-65).

Regarding claims 8, 15, the modification to Pasco discloses the claimed invention as described above except for a support element located at the back of the dial plate. However, one of ordinary skill in the art would have realized the desire to form a support element in the back of a dial plate to support the dial plate and a display. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to form the Ogura et al. meter having a support member because it is a common practice in the art to fix a dial plate and a display on the support member.

Regarding claim 16, although Pasco does not explicitly disclose the display being a liquid crystal display (LCD) having a diffuser (i.e., empty spacer acting as a light proof channel)

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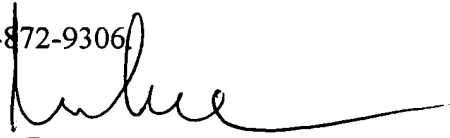
disposed between a liquid crystal screen and a front polarizer, one of ordinary skill in the art would have realized the desire to use an LCD having a front panel, a rear panel and polarizers, a diffuser film disposed between a front polarizer and the front panel as a display in the Pasco's device as shown by Ogura et al. (fig. 3) and Abileah et al. (fig. 3) . Therefore, it would have been obvious to one skill in the art at the time of the invention was made to use modify the Pasco's device having an LCD since it is a common practice in the art to obtain a meter with a thin structure of an LCD (Ogura et al., col. 6, ln. 11) as well as to reduces its ambient light reflective of the display (Abileah et al., abstract).

### *Conclusion*

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dung Nguyen whose telephone number is 571-272-2297. The examiner can normally be reached on Monday-Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert H. Kim can be reached on 571-272-2293. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

DN  
05/06/2004



**Dung Nguyen**  
**Primary Examiner**  
**Art Unit 2871**